**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**
CIVIL APPLICATION NO.3232 OF 2005
IN
FIRST APPEAL NO.1143 OF 1998

| OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS | COURT'S OR JUDGES ORDERS |
|---|---|

Mr M.V. Kanade for the Applicants.
Mr R.D. Mishra for the Respondent No.1.
Mr A.R. Patil, A.G.P.for the Respondent No.2.

**CORAM : A. S. OKA, J.**
**DATE : MARCH 31, 2006.**

**P.C.:**

1. Rule. Advocates appearing for the Respondents waive service. Taken up for hearing forthwith. Case is made out for restoration subject to payment of costs by the Applicants to the Respondent No.1.

2. Hence, I pass the following order:

(i) Rule is made absolute in terms of prayers (a) and (c) subject to condition that the Appellants will pay costs of Rs.3,500/- to the Respondent No.1 within a period of four weeks

from today. If the amount of costs is not paid, order of dismissal will stand.

(ii) As a consequence of restoration of the First Appeal, interim relief granted by this Court on 12th January, 1999 in Civil Application No.10434 of 1998 is also restored.

**JUDGE**